

REMARKS

Claims 1-10 are pending in the application and stand rejected.

Rejection under 35 U.S.C §103

Claims 1-10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,529,143 to Mikkola et al. in view of U.S. Pat. No. 5,841,868 to Helbig. In particular, and with respect to claim 1, the Examiner finds that Mikkola discloses all claimed limitations but “is silent about the security features using within the trusted communication network.” The Examiner further finds that Helbig discloses a trusted computing system in which general-purpose computing apparatus can only be accessed by use of removable access cards that store personal information of the user. The Examiner then concludes that it would have been obvious to a person having ordinary skill to “have applied the teaching of Helbig into Mikkola’s system in which security against unauthorized access is provided... since the invention provides positive and definite separation of the user’s private information from the host computer, and does not allow this user to gain access to the host computer software unless the private sign-on information is provided during the start-up process.” Because no definitive statement is made by the Examiner, Applicants can only surmise that the Examiner is thus of the opinion that applying the teaching of Helbig into Mikkola’s system begets the presently claimed system.

Applicants have reviewed the two references with care and are compelled to disagree with the Examiner’s understanding and characterization of these references, the alleged motivation for the skilled person to attempt to combine the references, and the alleged results of such an attempted combination.

The Examiner is respectfully reminded that “[t]o establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.” MPEP §2142. The Examiner’s vague statement that the skilled person would be motivated to do so “since the invention provides positive and definite separation of the user’s private information from the

host computer, and does not allow this user to gain access to the host computer software unless the private sign-on information is provided during the start-up process” bears not the slightest relation to the present claims. What does “positive and definite separation of the user’s private information from the host computer” have to do with the presently claimed system “comprising an information access point relating to at least one pre-determined geographical area, said information access point including apparatus for retrieving information relating to computing platforms located within said pre-determined geographical area, together with security attributes of said computing platforms, said information system being arranged to provide said information to a user upon request?” How is “not allowing this user to gain access to the host computer software unless the private sign-on information is provided during the start-up process” relevant to the practice of the presently claimed system? Where do the present claims mention a start-up process, host computer software, user’s private information, and positive and definite separation of the two at said start-up process? Applicants respectfully submit that the alleged motivation proffered by the Examiner is simply irrelevant to the present claims. Furthermore, the Examiner has also failed to specify where exactly the alleged motivation is to be found in the references themselves or to offer proof that the alleged motivation can be found in the knowledge generally available to one of ordinary skill in the art.

“Second, there must be a reasonable expectation of success... The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure.” MPEP §2142. The Examiner has offered not one single detail as to how exactly the skilled person would go about “applying” the teachings of Helbig into the system of Mikkola. Mikkola, as explicitly acknowledged by the Examiner, is directed to means by which a mobile user can automatically be informed of geographical points of interest (POI) that are of interest to him, when specific threshold values are met and where the meeting of these values is monitored in a stationary ground station or stations. Helbig is in a completely unrelated class and concerned with a completely unrelated issue, namely preventing unauthorized physical access to a computer. It is certainly not immediately apparent how the method of preventing unauthorized physical access to a computer of Helbig could be applied to the system of Mikkola, where all communications between the user’s terminal and the network occurs automatically and wirelessly. Where exactly would the

smart card of Helbig be used in the system of Mikkola? At the server 120? At the operating station 130? The user has no direct physical access to either of these computing platforms. How exactly would the user of Helbig actually use a smart card, given that the user's terminal communicates with the network exclusively via wireless transmission?

The Examiner's purported acknowledgment that Mikkola "is silent about the security features using within the trusted communication network" begs the question "What trusted communication network?" The very word root "trust" appears not once in Mikkola, nor do "secure," "security," "authorize," etc. Mikkola appears to harbor no worries regarding security and trust whatsoever, as the disclosed method clearly states that when the user arrives in the vicinity of any of the POIs, data on the POI in question are automatically transmitted wirelessly to his terminal. Not even the slightest mention of user identification or validation can be found in Mikkola, and to allege that a skilled person looking to practice this invention would reasonably expect to successfully integrate Helbig therein simply upon reading Mikkola (or Helbig, for that matter) is simply an untenable position and Applicants respectfully submit that the Examiner's brief remarks fall far short of the burden imposed by the Rules and the MPEP.

"Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP §2142. The Examiner has made no showing of where each and every claimed limitation that is missing in Mikkola may be found in Helbig. For instance, there is absolutely no mention or hint of any information relating to computing platforms located within a pre-determined geographical area nor of security attributes of said computing platforms, as recited by the present independent claims. The geographic points of interest of Mikkola are not computing platforms, and the computing platforms (e.g. server 120) that are mentioned in Mikkola are not described as being located within a pre-determined geographical area. The Examiner appears to completely ignore the security attributes limitation in the present Action. Applicants have reviewed both references with great care and simply cannot find these limitations taught anywhere in either document. Applicants thus respectfully submit that the Examiner has failed to clearly and specifically identify where each and every claim limitation is taught in either of these two references, the above arguments regarding the impropriety of combining these two references notwithstanding.

Claims 2-9 depend from claim 1. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above discussion of claim 1, Applicants submit that claims 2-9 are also allowable.

Claim 10 is rejected with the same rationale applied against claims 1 and 4, and Applicants therefore submit that claim 10 is also allowable in view of the discussion of claim 10 *supra*.

Regarding the prior art made of record by the Examiner but not relied upon, Applicants believe that this art does not render the pending claims unpatentable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

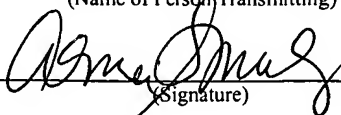
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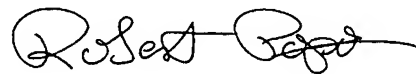


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Respectfully submitted,



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